



W.P(MD)No.18611 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18611 of 2020

and

W.M.P.(MD)Nos.15562 & 15564 of 2020

Radhakrishnan

... Petitioner

Vs.

1.The Additional Collector-cum-
Additional District Magistrate,
Tuticorin.

2.Stephen,
Sub Inspector of Police,
Thiruchendur Police Station,
Tuticorin District.

3.Sahadevan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 1st respondent in Moo.Mu. (C4)/10205/2020 dated 09.11.2020 served on 26.11.2020 quash the same and consequently forbear the 1st respondent, their subordinates, men and all other officials from in any manner interfering with the petitioners right of license granted till 30.03.2022 without following due process of law.



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For Petitioner : Mr.C.Christoper
For Respondent : Mr.M.Lingadurai
Special Government Pleader for R1
: Mr.Albert James
Government Advocate for R2
: Mr.K.Anna for R3

ORDER

Heard both sides.

2. The petitioner is a tenant under the third respondent. Dispute appears to have arisen between the two. In these circumstances, the crackers license issued to the petitioner was cancelled by the first respondent. The same was put to challenge in this writ petition.

3. When the matter was taken up for hearing, this Court had granted an order of interim stay. Therefore, the impugned order dated 09.11.2020 cannot be said to have come into force. The license period was only upto 30.03.2022. The license period has since expired. Therefore, nothing survives for further adjudication. The petitioner is permitted to submit fresh application for getting crackers license. As and when such application is filed, it will be considered on its own merits. The fact that the impugned cancellation order was passed will not come in the way. In other words, without taking note of the impugned order dated 09.11.2020, the petitioner's application shall be considered.



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4. The Writ Petition is disposed of accordingly. No costs. Consequently,
connected miscellaneous petitions are closed.

10.01.2024

Index : Yes / No
Internet : Yes/ No
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To

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Tuticorin.

2.Sub Inspector of Police,
Thiruchendur Police Station,
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G.R.SWAMINATHAN, J.

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